

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

JAMAL TRENT a/k/a Trap Smoke,

Defendant.

20-CR-626 (PMH)

ORDER

PHILIP M. HALPERN, District Judge:

On April 20, 2022, the defendant was sentenced principally to a term of imprisonment of 108 months. (Doc. 410).

On June 3, 2024, the defendant filed a motion (Doc. 901) requesting that this court direct the filing an amended Presentence Report in light of Amendment 821 to the Sentencing Guideline which amended the enhancement for committing an offense while on a criminal justice sentence at USSG §4A1.1(e) (“status points”) and created a reduction in the offense level for zero-point offenders at USSG §4C1.1. The amendment went into effect on November 1, 2023 and applies retroactively. On June 12, 2024, the defendant filed a supplement to his motion. (Doc. 909). The defendant explains, in his submissions, that he seeks a recalculation of the applicable guidelines through the issuance of an amended presentence report.

The United States Probation Department issued a supplemental presentence report which indicates that the defendant is eligible for the status point recalculation such that the Amended Total Criminal History Points is 6, and Amended Criminal History Category is III; but the defendant is not eligible for a sentence reduction. (Doc. 919).

The Court has considered the record in this case and defendant’s *pro se* the submissions.

It is hereby ORDERED that the defendant is ineligible for a sentence reduction because defendant's original sentence is below the reduced Guidelines range, and to the extent defendant seeks a sentence reduction, the motion is denied. To the extent defendant seeks the issuance of a supplemental presentence report reflecting the amended guidelines calculation, that request is granted (*see* Doc. 919) and the defendant's Amended Total Criminal History Points is 6, and Amended Criminal History Category is III.

SO ORDERED.

Dated: White Plains, New York
June 24, 2024



PHILIP M. HALPERN
United States District Judge